

1 as Family Broadcasting Exhibit  
2 No. 3 for identification, was  
3 received in evidence.)

4 And your last exhibit?

5 MR. HUBER: The last exhibit, Your Honor,  
6 is a -- I apologize, Your Honor. There are three  
7 additional pages to the previous exhibit that I didn't  
8 hand the Reporter that I still have here.

9 JUDGE SIPPEL: Oh, please just hand them  
10 to the Reporter now. That's no problem.

11 And your last exhibit, then, is?

12 MR. HUBER: The last exhibit is a  
13 certificate of good standing.

14 JUDGE SIPPEL: Dated when? November 25,  
15 2002?

16 MR. HUBER: Correct, Your Honor.

17 JUDGE SIPPEL: And that's just a one-page  
18 exhibit?

19 MR. HUBER: Yes, Your Honor.

20 JUDGE SIPPEL: Okay. The Reporter will  
21 mark that one-page exhibit as Family Broadcasting  
22 Exhibit Number 4 for identification. Hand it to her.

23 (Whereupon, the above-referred  
24 to document was marked as  
25 Family Broadcasting Exhibit

1 No. 4 for identification.)

2 Is there any objection to its being  
3 received into evidence?

4 MR. SHOOK: No objection.

5 JUDGE SIPPEL: Then, Exhibit 4 is received  
6 in evidence.

7 (Whereupon, the above-referred  
8 to document, previously marked  
9 as Family Broadcasting Exhibit  
10 No. 4 for identification, was  
11 received in evidence.)

12 All right. Is that -- are you going to  
13 bring in any -- I know that your client is with you,  
14 but are you going to bring in any other witnesses?

15 MR. HUBER: No, Your Honor.

16 JUDGE SIPPEL: Okay. Then, that -- does  
17 that -- essentially, that concludes your case?

18 MR. HUBER: Yes, Your Honor.

19 JUDGE SIPPEL: Very well.

20 MR. HUBER: In fact, I do not intend to  
21 call my client as a witness.

22 JUDGE SIPPEL: Right, I understand that.  
23 Ms. James-Petersen, she has been called for cross  
24 examination purposes, and she --

25 MR. HUBER: Yes, Your Honor.

1 JUDGE SIPPEL: -- is in the courtroom  
2 right now.

3 MR. HUBER: Yes, Your Honor.

4 JUDGE SIPPEL: Okay. Mr. Shook, it's your  
5 turn.

6 MR. SHOOK: Your Honor, I have previously  
7 given the Court Reporter one set of our exhibits. I  
8 have another set available, which I can give her.  
9 They take up a lot more space.

10 JUDGE SIPPEL: I understand.

11 MR. SHOOK: So basically --

12 JUDGE SIPPEL: I understand.

13 MR. SHOOK: -- in terms of however the  
14 Court Reporter would like to do this mechanically is  
15 fine with us.

16 JUDGE SIPPEL: We can talk about that off  
17 the record and get that straightened out.

18 MR. SHOOK: In any event, the Bureau has  
19 nine exhibits, the first of which --

20 JUDGE SIPPEL: Copies have been provided  
21 to Mr. Huber in advance.

22 MR. SHOOK: Yes, sir.

23 JUDGE SIPPEL: Okay. You may proceed.

24 MR. SHOOK: The first of which is the  
25 declaration of Reuben Jusino. It's J-U-S-I-N-O,

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1 Resident Agent, San Juan, Federal Communications  
2 Commission, Enforcement Bureau. It consists of six  
3 pages.

4 JUDGE SIPPEL: Let's have that identified,  
5 then, as Enforcement Bureau Exhibit 1 for  
6 identification.

7 (Whereupon, the above-referred  
8 to document was marked as  
9 Enforcement Bureau Exhibit  
10 No. 1 for identification.)

11 Does the Reporter have a copy? Is there  
12 a stamp, or do you want to do that when we get  
13 finished here?

14 MR. SHOOK: Basically, it's whatever the  
15 Court Reporter would like. There are -- there's one  
16 set of the documents immediately behind her, and then  
17 there's another set that we have in the cart over  
18 there. So --

19 JUDGE SIPPEL: Let's go off the record  
20 just a minute.

21 (Whereupon, the proceedings in the  
22 foregoing matter went off the record at  
23 10:16 a.m. and went back on the record at  
24 10:17 a.m.)

25 JUDGE SIPPEL: We're back on the record.

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1 Do you have any objection, Mr. Huber, to  
2 Exhibit Number 1?

3 MR. HUBER: No, Your Honor.

4 JUDGE SIPPEL: Then, it's received in  
5 evidence. This is -- Enforcement Bureau Exhibit  
6 Number 1 is identified as received.

7 (Whereupon, the above-referred  
8 to document, previously marked  
9 as Enforcement Bureau Exhibit  
10 No. 1 for identification, was  
11 received in evidence.)

12 Your next exhibit?

13 MR. SHOOK: Enforcement Bureau Exhibit  
14 Number 2 is the Enforcement Bureau's request for  
15 admission of facts and genuineness of documents,  
16 including Attachments A through DD. It's 97 pages in  
17 length.

18 (Whereupon, the above-referred  
19 to document was marked as  
20 Enforcement Bureau Exhibit  
21 No. 2 for identification.)

22 The Bureau would offer this exhibit into  
23 evidence.

24 JUDGE SIPPEL: Any objection?

25 MR. HUBER: No, Your Honor.

1 JUDGE SIPPEL: It's received. Exhibit 2  
2 is received.

3 (Whereupon, the above-referred  
4 to document, previously marked  
5 as Enforcement Bureau Exhibit  
6 No. 2 for identification, was  
7 received in evidence.)

8 Your next exhibit?

9 MR. SHOOK: Exhibit Number 3 for the  
10 Enforcement Bureau is Family Broadcasting, Inc.'s  
11 answers to requests for admissions of fact. And it  
12 consists of 12 pages.

13 (Whereupon, the above-referred  
14 to document was marked as  
15 Enforcement Bureau Exhibit  
16 No. 3 for identification.)

17 The Bureau would offer that into evidence.

18 JUDGE SIPPEL: So identified for the  
19 record. Is there any objection, Mr. Huber?

20 MR. HUBER: No, Your Honor.

21 JUDGE SIPPEL: It's received in evidence  
22 as Enforcement Bureau Exhibit Number 3.

23 (Whereupon, the above-referred  
24 to document, previously marked  
25 as Enforcement Bureau Exhibit

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1 No. 3 for identification, was  
2 received in evidence.)

3 MR. SHOOK: Enforcement Bureau Exhibit  
4 Number 4 is the May 10, 2001, deposition of Barbara  
5 James-Petersen, together with the deposition exhibits.  
6 It's 183 pages in length.

7 (Whereupon, the above-referred  
8 to document was marked as  
9 Enforcement Bureau Exhibit  
10 No. 4 for identification.)

11 The Bureau would offer its Exhibit  
12 Number 4 into evidence.

13 JUDGE SIPPEL: Any objection?

14 MR. HUBER: No, Your Honor.

15 JUDGE SIPPEL: No objection. It's  
16 received in evidence as Enforcement Bureau Exhibit 4.

17 (Whereupon, the above-referred  
18 to document, previously marked  
19 as Enforcement Bureau Exhibit  
20 No. 4 for identification, was  
21 received in evidence.)

22 Your next exhibit?

23 MR. SHOOK: Enforcement Bureau Exhibit 5  
24 is the deposition of Gerard Luz A. James. It was  
25 taken November 14, 2002. It is 179 pages.

1 (Whereupon, the above-referred  
2 to document was marked as  
3 Enforcement Bureau Exhibit  
4 No. 5 for identification.)

5 The Bureau offers its Exhibit Number 5  
6 into evidence.

7 JUDGE SIPPEL: Any objection?

8 MR. HUBER: No, Your Honor.

9 JUDGE SIPPEL: The document, as described,  
10 is identified and received in evidence as Bureau  
11 Exhibit Number 5.

12 (Whereupon, the above-referred  
13 to document, previously marked  
14 as Enforcement Bureau Exhibit  
15 No. 5 for identification, was  
16 received in evidence.)

17 Your next one?

18 MR. SHOOK: Bureau Exhibit Number 6 is the  
19 deposition of Asta K. James, also taken November 14,  
20 2002. It is 38 pages long.

21 (Whereupon, the above-referred  
22 to document was marked as  
23 Enforcement Bureau Exhibit  
24 No. 6 for identification.)

25 The Bureau offers Exhibit Number 6 into

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1 evidence.

2 JUDGE SIPPEL: Any objection?

3 MR. HUBER: No, Your Honor.

4 JUDGE SIPPEL: That document, then, is  
5 received -- identified and received as Enforcement  
6 Bureau Exhibit Number 6.

7 (Whereupon, the above-referred  
8 to document, previously marked  
9 as Enforcement Bureau Exhibit  
10 No. 6 for identification, was  
11 received in evidence.)

12 Your next exhibit?

13 MR. SHOOK: Enforcement Bureau Exhibit  
14 Number 7 is the deposition of Gerard L. James, II. It  
15 was taken November 27, 2002. It is 87 pages long.

16 (Whereupon, the above-referred  
17 to document was marked as  
18 Enforcement Bureau Exhibit  
19 No. 7 for identification.)

20 The Bureau offers its Exhibit 7 into  
21 evidence.

22 JUDGE SIPPEL: Any objection?

23 MR. HUBER: No, Your Honor.

24 JUDGE SIPPEL: Bureau's Exhibit Number 7  
25 is identified and received into evidence at this time

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1 as Exhibit 7.

2 (Whereupon, the above-referred  
3 to document, previously marked  
4 as Enforcement Bureau Exhibit  
5 No. 7 for identification, was  
6 received in evidence.)

7 Your next exhibit?

8 MR. SHOOK: Bureau Exhibit 8 is the  
9 deposition of Alva Clarke. In the index I have  
10 misspelled Mr. Clarke's name. It should have an E at  
11 the end. It's capital C-L-A-R-K-E. That deposition  
12 was taken January 3, 2003. It is 78 pages long.

13 (Whereupon, the above-referred  
14 to document was marked as  
15 Enforcement Bureau Exhibit  
16 No. 8 for identification.)

17 The Bureau offers Exhibit 8 into evidence.

18 JUDGE SIPPEL: Any objection?

19 MR. HUBER: No, Your Honor.

20 JUDGE SIPPEL: That document, then, is  
21 identified and received in evidence as Enforcement  
22 Bureau Exhibit Number 8.

23 (Whereupon, the above-referred  
24 to document, previously marked  
25 as Enforcement Bureau Exhibit

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1 No. 8 for identification, was  
2 received in evidence.)

3 Your next exhibit?

4 MR. SHOOK: Bureau Exhibit Number 9 is our  
5 last exhibit. It is a second deposition of Barbara  
6 James-Petersen. It was taken January 15, 2003. And  
7 together with deposition exhibits it comes to 344  
8 pages.

9 (Whereupon, the above-referred  
10 to document was marked as  
11 Enforcement Bureau Exhibit  
12 No. 9 for identification.)

13 The Bureau offers Exhibit 9.

14 JUDGE SIPPEL: Any objection?

15 MR. HUBER: No, Your Honor.

16 JUDGE SIPPEL: That's received.  
17 Exhibit 9, as identified by counsel, is both  
18 identified and received in evidence as Enforcement  
19 Bureau Exhibit Number 9.

20 (Whereupon, the above-referred  
21 to document, previously marked  
22 as Enforcement Bureau Exhibit  
23 No. 9 for identification, was  
24 received in evidence.)

25 Does that conclude your documentary case?

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1 MR. SHOOK: It concludes our documentary  
2 case, Your Honor.

3 JUDGE SIPPEL: Thank you.

4 Okay. The next order of business is you  
5 have -- you have noticed Ms. James-Petersen for cross  
6 examination. Are you prepared to go forward now?

7 MR. SHOOK: We are, Your Honor.

8 JUDGE SIPPEL: Can you tender your witness  
9 at this point, sir?

10 MR. HUBER: Yes, Your Honor.

11 JUDGE SIPPEL: Okay. Would you come  
12 forward, please, Ms. James-Petersen? Would you raise  
13 your right hand, please?

14 WHEREUPON,

15 BARBARA JAMES-PETERSEN  
16 was recalled as a witness by Counsel for Family  
17 Broadcasting, Inc., and, having been first duly sworn,  
18 resumed the witness stand, was examined and testified  
19 as follows:

20 JUDGE SIPPEL: All right. Please be  
21 seated and make yourself comfortable.

22 Let's go off the record for just a minute.  
23 (Whereupon, at 10:22 a.m., the  
24 proceedings in the foregoing matter went  
25 off the record briefly.)

1 JUDGE SIPPEL: Back on the record.

2 The witness is in the stand. You may  
3 proceed, Mr. Shook.

4 CROSS EXAMINATION

5 BY MR. SHOOK:

6 Q May I address you as Ms. James-Petersen?

7 A You may.

8 Q And if you would please, just like with  
9 the depositions that we've had, please speak up, so  
10 that the Court Reporter can hear your responses.

11 I'm going to ask you a series of  
12 questions. And if there's a question you don't  
13 understand, you can let me know. But otherwise, just  
14 try to, you know, answer the questions that I ask.

15 Do you maintain any radio station records  
16 at your parents' house?

17 A Yes, I do.

18 Q What records are those?

19 A I have the payroll records. I have some  
20 of the files from the radio station, because we have  
21 had some terrible weather as late as November of last  
22 year. And the building isn't as secure as it could  
23 be, so some of the records I've taken home. Some of  
24 the files -- contracts for advertisements, things like  
25 that.

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1           Q       Would those be all of the station records  
2       that you have at your parents' house?

3           A       Yes, it would be.

4           Q       Where are those records maintained in your  
5       parents' house?

6           A       I have a computer in -- that sits in the  
7       dining room, and I have a small filing cabinet and  
8       some filing boxes. And they are around that computer.

9           Q       Are the filing boxes secured in any way?

10          A       Yes, they are. They are covered. I'm the  
11       only one who touches any of that. Any of the files or  
12       any of the things related to the station that I have  
13       there in the house, they are in one corner.

14          Q       Well, in terms of the boxes being covered,  
15       are we talking about -- what kind of covering are we  
16       talking about?

17          A       They are regular file boxes that come with  
18       a cover, and it's secured by the cover. And they're  
19       -- in some cases I have two boxes stacked one on top  
20       of the other.

21          Q       When you say "secured by the cover," do  
22       you mean the cover for the box rests on top of the  
23       box?

24          A       Yes, it does. It covers the files.

25          Q       All right. You didn't mean to suggest

1       that the cover is secured by tape or a lock, or  
2       something like that, did you?

3           A       No, I did not.

4           Q       With respect to the file cabinet that you  
5       mentioned, how is that secured?

6           A       It has a lock, but the key is nowhere to  
7       be found. But the filing drawer -- the filing cabinet  
8       is a two-drawer filing cabinet, and that's where the  
9       payroll records are housed.

10          Q       So, in other words, just theoretically, if  
11       somebody wanted to get at those records, they would  
12       simply have to open the file drawer?

13          A       Yes, sir.

14          Q       Now, in the last -- I'm going to be asking  
15       a series of questions, and the time periods will vary.  
16       So try to bear with me and focus on the time period  
17       that appears in the question.

18                 In the last 12 months, so we're talking  
19       the last calendar year, in a typical week how often  
20       does your father go to the radio stations for any  
21       reason whatsoever?

22          A       In a typical week, my father is there  
23       twice. And he -- that would be on Saturday mornings  
24       from 6:00 a.m. to 7:30, and then Saturday afternoon  
25       from 3:00 p.m. to 8:00 p.m. And we have -- those are

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1 for religious programs, where people come in and it's  
2 live. And we also have a police program that comes in  
3 at that time.

4 Q So your father goes to the radio  
5 stations --

6 A But that is -- I'm sorry, that is  
7 Saturday, and then Sunday -- I said twice. Sunday  
8 would be from 6:00 p.m. to midnight, where we also  
9 have the religious programming, where some of the  
10 programs are pre-taped, and then they are just played  
11 back over the air.

12 Q Now, when your father goes to the radio  
13 stations -- and, again, we're talking about this  
14 12-month period -- what does he typically do once he's  
15 there?

16 A Well, he just sits behind the board, plays  
17 the records, or puts in the religious tape, you know,  
18 whatever the programming calls for.

19 Q Does he have any on-air responsibilities?

20 A Other than just sitting there, and when he  
21 plays records, he might take a request from someone on  
22 air. But as far as regular on-air responsibilities,  
23 no, he does not.

24 Q So to help us visualize what he does,  
25 essentially he'd be a disc jockey and he wouldn't say

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1 very much. He would -- his basic job is to play  
2 music?

3 A Play music or play the religious tapes  
4 that are there, that are assigned at that particular  
5 time.

6 Now, within the past three -- the past  
7 three months, because he did say the 12-month period,  
8 I have an employee who used to work from 6:00 to  
9 9:00 p.m. Tuesday and Thursday evenings. And that  
10 employee is now seriously ill with breast cancer, so  
11 she had to quit. And in that space my father goes in  
12 in order that I don't have to pay someone. He goes  
13 in. He just sits there. He plays music for that  
14 three-hour period, plays the music and plays the  
15 spots.

16 Q So that would be in the last three months  
17 he has been doing that?

18 A Approximately four months. She has been  
19 gone for about four months.

20 Q And what are the prospects for her  
21 returning?

22 A They don't look very promising.

23 JUDGE SIPPEL: Do we have a name for this  
24 person?

25 THE WITNESS: Yes. Her name is Maria

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1 Heywood.

2 BY MR. SHOOK:

3 Q So at this point in time, or for the last  
4 four months, your father has been going in on  
5 Tuesdays, Saturdays, and Sundays?

6 A Yes. Tuesday, Thursday -- the past four  
7 months, Tuesday, Thursday, and then the Saturday and  
8 Sunday.

9 Q Okay. And when he goes in on Tuesdays and  
10 Thursdays, it's for three-hour stretches?

11 A Yes, sir.

12 Q Now, how would you describe the format of  
13 the radio stations right now?

14 A We play calypso music, mostly West Indian  
15 music, and we do play gospel. But it's more of a  
16 local flavor as opposed to some of the other stations  
17 that play hiphop and younger music. We cater more to  
18 the senior citizens.

19 Q Now, has the radio station's format  
20 changed in any significant way in the last five years?

21 A No, it has not.

22 Q Now, what do you typically charge a  
23 commercial advertiser? And you can break it down in  
24 terms of 30 seconds, 60 seconds, whatever the normal  
25 time periods are for your commercials.

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1           A       Okay. The maximum, which would be in  
2       drive time for 30 seconds, would be \$11 and -- for 30  
3       seconds. Sixty seconds could be as much as \$15, and  
4       in some cases \$17. It depends on the day of the week,  
5       whether it falls within a talk show, whether it falls  
6       within one of the more popular programs that we have.

7           Q       And do you have rates that you charge for  
8       either 30- or 60-minute blocks of time?

9           A       Thirty or 60 minutes?

10          Q       Yes.

11          A       We -- the largest block -- well, 60  
12       minutes, we have a flat rate of in-studio \$350. And  
13       a remote, outside of the studio, would be \$450. But  
14       that is not the agency rate. That's the regular,  
15       normal. Agency rate would be a little more.

16          Q       And then for a 30-minute block of time it  
17       would be one-half of that amount?

18          A       One-half of that. Yes, sir.

19          Q       Does the amount vary according to the  
20       nature of the client?

21          A       No, that's a standard rate.

22          Q       Do you charge religious programmers or  
23       churches a different rate?

24          A       They have a special rate, which is \$25 for  
25       15 minutes, with a maximum of \$100 per hour. And that

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1 has been -- our rates have not changed since September  
2 of 1990. They have remained constant.

3 Q Now, to your knowledge, what are the  
4 sources of your parents' current income?

5 A Well, my father has a law practice. He  
6 also receives a pension from the -- from the local  
7 Virgin Islands government. He worked for the  
8 government for approximately I think 12 to 15 years.  
9 And I think he gets a Social Security check also.

10 And my mother is a retired schoolteacher.  
11 She taught in the local government for 36 years, so  
12 she receives a retirement check from that, and also  
13 Social Security.

14 Q To your knowledge, is the income derived  
15 by the station sufficient to meet the station's  
16 expenses?

17 A At times, maybe once every -- with  
18 conditions the way it is down there now, at times,  
19 maybe once every two months, you would have a good --  
20 you know, good time at -- when I say a "good time,"  
21 enough capital comes in that you can maybe pay some  
22 outstanding expenses that you may have. But that is  
23 few and far between, because on St. Croix conditions  
24 are worse than they are on our neighboring island of  
25 St. Thomas.

1 Q Given that the station's income, from what  
2 you just said, appears not to be sufficient to meet  
3 normal station expenses, how are those expenses met?

4 A From my parents. They actually take the  
5 money out of their pocket, and they supplement  
6 whatever is needed.

7 Q And how does it come to their attention  
8 that there are bills that need to be paid?

9 A Well, my mother usually asks me what we  
10 have -- you know, what is scheduled to be paid, what  
11 is outstanding, and I will mention it to her. And,  
12 you know, as long as I have enough money coming in, I  
13 will pay for it from the station funds. Otherwise,  
14 she will tell me, "Well, go ahead. Here, take this  
15 and, you know, make some payments."

16 Q In other words, you let her know on a --  
17 say, a weekly basis what bills are due and whether or  
18 not you have enough money in the station's account to  
19 pay those expenses?

20 A Well, if she inquires. I usually don't --  
21 I just mention it -- you know, mention it to her,  
22 because I prefer that the station carries its own  
23 weight. But many times when we start to fall behind,  
24 then, you know, she would step in and she would  
25 assist.

1 Q Is she the only person who assists?

2 A Well, my brother has assisted, and my  
3 father also.

4 Q With respect to your brother, you're  
5 talking about your brother who lives on the Virgin  
6 Islands?

7 A Yes, he does.

8 Q And that would be Gerard James --

9 A The second.

10 Q -- Jr.? Or the second?

11 A The second. Yes, sir.

12 Q What has he contributed over the last year  
13 in terms of paying station bills?

14 A Are you requesting a figure or --

15 Q An approximation. Maybe I should ask  
16 preliminarily whether he is -- he has contributed over  
17 the last 12 months.

18 A Well, he has, but I'm trying to get a  
19 figure because it's been quite a while, sometime last  
20 year. It would be a guess, but I would say maybe in  
21 the area of \$5,000. It could be more. I have no --  
22 I don't -- I don't recall exactly at the moment,  
23 but --

24 Q How did it come about that your brother  
25 became involved in paying any of the station's bills?

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1           A       It may have been when we had a  
2 conversation, because he was asking me how conditions  
3 were, because he's a funeral director and at times  
4 things are difficult for him, too, but he seems to be  
5 doing well now. But whenever he has extra capital,  
6 you know, he would come and ask me, "How are things  
7 going with the station?" I'll say, "Well, we're still  
8 in the hole, you know, trying to get above that." And  
9 that was when he contributed some money the last time.

10           Q       And so basically your brother would  
11 approach you on occasion and just ask whether or not  
12 you needed help?

13           A       Yes. Well, we're a very close family, and  
14 we sit, we discuss things. We talk with one another,  
15 and sometimes things will come up -- you know,  
16 questions will be raised, and then that's when -- and,  
17 you know, my family is the type that if they can help,  
18 you know -- and they're not looking for anything in  
19 return, but if they can help, they help. If they  
20 can't, they will tell you up front, you know, "I  
21 can't."

22           Q       With respect to your father, what  
23 contributions has he made to pay the station's bills  
24 over the last 12 months?

25           A       He usually -- well, he has contributed his

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1 retirement checks, you know, very often, sometimes  
2 even his Social Security check, but that is usually  
3 for -- to assist with the payroll if I fall short.  
4 But usually there is enough capital that comes in to  
5 cover -- at least cover the payroll for the most part.

6 Q How would he come to know that his  
7 assistance is required?

8 A Well, usually he'll ask me if I have  
9 enough money for the -- you know, to cover the payroll  
10 this week, and I will tell him, "Well, I'm short a  
11 little. I'm just waiting to see what else comes in,"  
12 or try and make some collections, because we do have  
13 some outstanding accounts receivable out there.

14 Q And approximately -- can you approximate  
15 how much money he has contributed over the last 12  
16 months?

17 A That would be difficult, but --

18 Q Would it be less than \$10,000?

19 A Well, whatever his retirement checks and  
20 his Social Security at different times. I would say  
21 maybe about that or maybe a little less. I don't --  
22 I can't -- I don't recall exactly.

23 Q Would he pay the station's bills directly,  
24 or would he give the money to you and then you, in  
25 turn, would write a station check to pay the bills?

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1           A       No. What we do, he would bring the money  
2 to me, and we would put all of the -- the checks that  
3 come in for the station, go and deposit the checks,  
4 and then get -- I make the payroll checks off of that  
5 -- that deposit.

6           Q       So you would take money from your father  
7 and then deposit --

8           A       Whatever the difference is that is needed.

9           Q       -- it into the station account?

10          A       Yes, sir.

11          Q       And that's the same thing that you would  
12 do with your mother and your brother's contributions?

13          A       Yes, sir.

14          Q       To your knowledge, is Family Broadcasting,  
15 Inc. current with its federal income tax filings?

16          A       Well, prior to coming up here, I was  
17 working on those with our accountant. And when I get  
18 back next week those will all be out. Everything will  
19 finally be up to date.

20                   They have been behind -- I think the last  
21 ones -- the records that I have, based on what I have  
22 found, the last ones that were filed I think was '97  
23 or '98, because I've been working on all of the others  
24 with the accountant. And those are being sent out  
25 next week.

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1 Q So which years are going to go out next  
2 week?

3 A Those that I have are -- I think it's '98,  
4 '99 -- from '98 to the current, to 2003.

5 Q Now, you mentioned an accountant. Can you  
6 name the accountant, please?

7 A Mr. Depusoir.

8 Q His first name?

9 A Francisco. His last name is spelled D-E-  
10 P-U-S-O-I-R.

11 Q How long has he been Family's accountant?

12 A He has worked for Family -- he worked with  
13 my father prior to my getting his assistance. I don't  
14 know how many years, but I know prior to my coming  
15 there there was another -- another accountant, but I  
16 don't recall his name. But I think Mr. Depusoir -- I  
17 have been back there now -- I can safely say maybe  
18 approximately four years, the past four years that I  
19 have been back there.

20 Let's see, the past four years that I have  
21 been back there, but he did do some work off and on  
22 related to the station for my father, but I don't  
23 recall how -- you know, how long that has been.

24 Q Does Mr. Depusoir provide accounting  
25 services to your father?

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1           A       No. I think he does some work for my  
2 brother also. My brother was the one that recommended  
3 him to me.

4           Q       Well, my question -- you may have answered  
5 it, and I just didn't quite catch it. My specific  
6 question was: does Mr. Depusoir provide accounting  
7 services for your father?

8           A       I have no knowledge of that. I don't know  
9 what he does with his law office, who he uses.

10          Q       Now, the last time we had an opportunity  
11 to speak you were driving a car which I believe you  
12 testified you did not own. Is that still the case?

13          A       The car that I'm driving is a 1996  
14 Mitsubishi Mirage. That is my mother's car.

15          Q       Your mother's car.

16          A       But I pay the insurance on that.

17          Q       Does your father maintain any records for  
18 Family Broadcasting, Inc.?

19          A       No, he does not.

20          Q       Now, you're aware, are you not, that when  
21 Family Broadcasting, Inc. bought the radio stations  
22 WSTX AM and FM it paid in the vicinity of \$525,000 for  
23 the stations?

24          A       Well, I found that out long afterwards.

25          Q       But that has come to your attention at

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1 some point?

2 A Yes, it has.

3 Q And did it also come to your attention  
4 that Family Broadcasting, Inc. borrowed at least some  
5 portion of that \$525,000?

6 A Yes, it has.

7 Q Do you know whether or not Family  
8 Broadcasting, Inc. has paid off whatever it borrowed  
9 in order to buy the radio stations?

10 A I honestly couldn't tell you that. I have  
11 no idea.

12 Q Has your father ever explained to you what  
13 debts, if any, Family Broadcasting, Inc. owes relative  
14 to its purchase of the radio stations?

15 A No, not to me personally.

16 Q Now, this is arguably a theoretical  
17 question. But in your opinion, could the station  
18 survive financially without the continued  
19 contributions of your mother and your father?

20 A You said my -- theoretically, my  
21 personal --

22 Q Yes, ma'am.

23 A Honestly, it can, but the first step would  
24 have to be to reduce personnel, and that is something  
25 that I have discussed with the employees that are

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1 there, because I recently spoke to someone about  
2 getting an automated program.

3 And I am seriously considering just using  
4 that, just having live, on-air personnel during the  
5 day, and then using the automation program at night.  
6 And that would -- once that is done, it's possible to  
7 be able to generate enough revenue that the radio  
8 station can pay for itself, and provided that the  
9 economic conditions on St. Croix improve.

10 They are starting to improve, but whether  
11 it will take another downward turn, you know, that  
12 would make a big difference also.

13 Q Aside from the churches that we talked  
14 about earlier, in terms of your commercial  
15 advertisers, do any of them come from a locale other  
16 than St. Croix?

17 A Well, we have St. Croix, St. Thomas --  
18 well, they're all just the Virgin Islands.

19 Q Your commercial advertisers are from --

20 A The U.S. Virgin Islands.

21 Q -- the U.S. Virgin Islands.

22 A Yes, sir.

23 Q So you do -- you have advertisers that are  
24 not only physically located in St. Croix but also  
25 physically located on St. John or St. Thomas?

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